

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GAN H. ENG, TAN F. LAM, KWOK C.
TANG, JUN Q. CHAN, KAM C. HO, XIAO
Z. ZHANG, YAT C. CHAN, MING HO,
RONG J. CHEN, JIAN Z. LUO, LE Y.
CHEN, JIAN B. YAN, SU C. JIANG, XIU
H. JIANG, XIU LIN, TAK S. CHENG,
SHU C. HUANG, MEI J. HUANG, and
OY K. KWAN,

Plaintiffs,

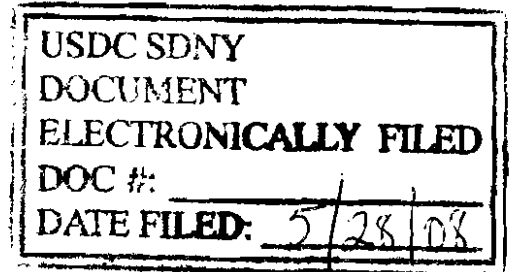
-against-

THE NICE RESTAURANT, INC. BEN H.
TOM, MEE MEE TOM a.k.a. MEE MEE M.
TOM a.k.a MEE MEE MEI, YAN SHING
CHAN, CHEUNG YONG, SHING SI SUN,
SHEN PING CHU, JOHN TAM, SI KIT WU,
SI HUNG WU, CHUI BAI TAM, and JIMMY
MOY a.k.a. JIMMY MUI a.k.a. JIMMY
MEI,

Defendants.

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CEDARBAUM, J.



ORDER

07 Civ. 3909 (MGC)

Defendant William Tam, sued here as Chui Bai Tam, moves for summary judgment on the ground that he is not an employer within the meaning of the Fair Labor Standards Act and the New York Labor Law. Plaintiffs have been unable to proffer any evidence in opposition to Tam's summary judgment motion. Accordingly, they consent to his dismissal from the case.

Therefore, Tam's motion for summary judgment dismissing all claims against him is granted.

SO ORDERED.

Dated: New York, New York
May 27, 2008

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MIRIAM GOLDMAN CEDARBAUM
United States District Judge